



City of Las Vegas

Agenda Item No.: 52.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 5, 2014

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☐ Consent ☒ Discussion

SUBJECT: EOT-5207 TABEYAN CENTER, N.E. - NON-CONFORMING USE - PUBLIC HEARING -
APPLICANT - OWNER: ALTA DECATER SHOPPING CENTER, LLC - For possible action on
a request for Extension of Time for CR 1A NON-CONFORMING USE (TAVERN) at 465 South
Devatur Boulevard (EOT-119-31-21-005), C-2 (General Commercial) Zone, Ward 1
(Tarkanian). Staff recommends DENIAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter EOT-47454
5. City Council Approval Letter EOT-44089
6. City Council Approval Letter EOT-40307
7. Photo
8. Justification Letter
9. Protest/Support Postcards

Motion made by LOIS TARKANIAN to Approve

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

BOB COFFIN, RICKI Y. BARLOW, LOIS TARKANIAN, CAROLYN G. GOODMAN,
STAVROS S. ANTHONY, STEVEN D. ROSS; (Against-None); (Abstain-BOB BEERS); (Did
Not Vote-None); (Excused-None)

NOTE: A previous motion for Approval by Tarkanian was rescinded by Beers so that he could
disclose and abstain from voting.

NOTE: COUNCILMAN BEERS disclosed that he has a small interest in a CPA firm that leases
an office from Becker Enterprises; however, he does not believe his vote affect him in anyway.
However, after the motion was taken, CITY ATTORNEY BRAD JERBIC advised
COUNCILMAN BEERS abstain from voting on the abundance of caution.

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

LUCY STEWART appeared on behalf of the applicant.

ANTHONY HODGES, Las Vegas resident, asked the reason for denial. FLINN FAGG, Director of Planning, explained that this is the fourth extension request; therefore, staff recommended denial.

MS. STEWART explained that the owner has tried to find a new owner and has been unable to due to the economy, and the owner has decided to become the operator of the tavern. Since the reorganization with their holdings, they had to unravel the gaming, liquor and licensing and is taking longer than anticipated.

COUNCILWOMAN TARKATIAN stated she met with MR. BECKER and because of the complications and situation she approved the extension of time.

After the motion was rescinded, COUNCILMAN BEERS inquired that he was advised by CITY ATTORNEY BRAD JERBIC that with abundance of caution, he should abstain. CITY ATTORNEY BRAD JERBIC explained that technically COUNCILMAN BEERS has a business relationship in his private capacity with an applicant. He intends to explore this further with the Director of the State Ethics Commission to see if she has a different opinion, and if so, he reserves the right to give different advice in the future.

MAYOR GOODMAN declared the Public Hearing closed.